

RESOLUTION NO. 75232

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY AUDITOR TO NEGOTIATE AND EXECUTE A THIRD AMENDMENT TO THE AGREEMENT FOR AUDIT SERVICES WITH MACIAS, GINI & O'CONNELL, LLP TO PROVIDE A FINANCIAL AUDIT OF THE NEIGHBORHOOD SECURITY BOND PROJECTS CAPITAL PROJECTS FUND OF THE CITY FOR THE PERIOD FROM INCEPTION THROUGH JUNE 30, 2009, FOR A TOTAL ONE TIME FEE NOT TO EXCEED \$49,500, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,954,940

WHEREAS, on July 19, 2005, the City of San Jose ("City") entered into a Financial Audit Agreement with Macias Gini & Company, LLP, now known as Macias, Gini & O'Connell, LLP ("MGO"), in which MGO provides the City with general annual financial and compliance services for fiscal years starting in 2004 through 2007, including two one-year extension options for fiscal years ending in 2008 and 2009 ("Agreement"), which agreement has since been amended twice and expires April 30, 2010; and

WHEREAS, the City desires to negotiate and execute a third amendment to the Agreement with Macias Gini & O'Connell, LLP to provide a financial audit of the Neighborhood Security Bond Projects Capital Projects Fund for a total one-time amount not to exceed \$49,600;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Auditor is hereby authorized to negotiate and execute a third amendment to the agreement with Macias Gini & O'Connell, LLP to provide a financial audit of the Neighborhood Security Bond Projects Capital Projects Fund of the City for the period

from inception through June 30, 2009, for a total one-time fee not to exceed \$49,600,
for a total contract amount not to exceed \$2,954,940.

ADOPTED this 15th day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:


LEE PRICE, MMC
City Clerk